

RECEIVED
CENTRAL FAX CENTER

JUN 11 2007

MacPherson Kwok Chen & Heid LLP

2033 Gateway Place, Suite 400
San Jose, CA 95110
Tel. (408) 392-9250
Fax (408) 392-9262
Email: mailbox@macpherson-kwok.com

2402 Michelson Drive, Suite 210
Irvine, CA 92612
Tel. (949) 752-7040
Fax (949) 752-7049

June 11, 2007

Via Facsimile to (571) 273-8300

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Applicant(s):	Kenneth C. Widen		
Assignee:	The Boeing Company		
Title:	Systems and Methods for Characterizing Laser Beam Quality		
Application No.:	10/701,760	Filing Date:	November 4, 2003
Examiner:	Sang H. Nguyen	Group Art Unit:	2877
Docket No.:	M-15290 US	Confirmation No.:	8057

TRANSMITTAL FOR RENEWED PETITION UNDER CRF 1.137(B)

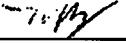
Dear Sir:

Transmitted herewith are the following documents in the above-identified application:

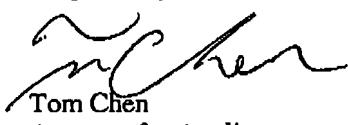
- (1) This transmittal for Renewed Petition under CRF 1.137(b), For Revival Of An Application For Patent Abandoned Unintentionally Under (1 pages);
- (2) Copy of Petition Decision dated April 20, 2007; and
- (3) Response to Office Action dated February 17, 2006.

No fee is believed due since the February 17, 2006 Office Action was never received from the United States Patent Office.

<input type="checkbox"/> PETITION FEE	\$	0
<input checked="" type="checkbox"/> Please charge our Deposit Account No. 50-2257 in the amount of	\$	0
<input checked="" type="checkbox"/> Also, charge any additional fees required and credit any overpayment to our Deposit Account No. 50-2257		

Certification of Facsimile Transmission	
I hereby certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
 Monique M. Butler	<u>June 11, 2007</u> Date of Signature

Respectfully submitted,


 Tom Chen
 Attorney for Applicants
 Reg. No. 42,406



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

RECEIVED
CENTRAL FAX CENTER

MacPHERSON KWOK CHEN & HEID, LLP
2033 GATEWAY PLACE
SUITE 400
SAN JOSE, CA 95110

JUN 11 2007

COPY MAILED

APR 20 2007

In re Application of : OFFICE OF PETITIONS
Kenneth C. Widen :
Application No. 10/701,760 : DECISION ON PETITION
Filed: November 4, 2003 :
Attorney Docket No. M-15290 US :

This is a decision on the petition under 37 CFR 1.137(b), filed September 12, 2006, to revive the above-identified application.

The petition is DISMISSED.

Any (request for reconsideration) of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is not a final agency action within the meaning of 5 U.S.C. § 704.

The application became abandoned for failure to reply in a timely manner to the Restriction Requirement, mailed February 17, 2006, which set a shortened statutory period for reply of thirty days. No extensions of time were obtained under the provisions of 37 CFR 1.136(a). A Notice of Abandonment was mailed on August 23, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(d). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Director may require additional

Application No. 10/701,760

Page 2

information. See MPEP 711.03(c)(II)(C). The instant petition lacks item (1).

The petition cannot be granted at this time since the reply to the outstanding Office action of February 17, 2006 has not been received. Since it appears that petitioner did not receive a copy of this Office action, a copy thereof accompanies this decision on petition.

Any further reconsideration of this decision should include a renewed petition under 37 CFR 1.137(b) (no additional fee due) and the required reply to the outstanding Office action of February 17, 2006.

It is noted that the Office action of February 17, 2006 was mailed as directed to the address noted in the Declaration for Patent Application and Power of Attorney. The record does not disclose that this Office action was returned to the Office as undeliverable. Accordingly, there is no indication that the Office action was never received at the address to which it was properly mailed.

Further correspondence with respect to this matter should be addressed as follows:

By Mail: Mail Stop PETITION
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

By hand: U. S. Patent and Trademark Office
 Customer Service Window, Mail Stop Petitions
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

The centralized facsimile number is (571) 273-8300.

06-11-'07 16:44 FROM-MKC&H LLP

9497527049

T-778 P005/010 F-606

Application No. 10/701,760

Page 3

Telephone inquiries concerning this decision should be directed
to the undersigned at (571) 272-3218.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions

ATTACHMENT: Copy of February 17, 2006 Office action